

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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SMITH & NEPHEW, INC., Plaintiff

v.

INTERLACE MEDICAL, INC., and  
HOLOGIC, INC., Defendants

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CIVIL ACTION NO. 10-cv-10951-RWZ

**ASSENTED-TO MOTION TO SEAL PLAINTIFF SMITH & NEPHEW, INC'S  
OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND  
RELATED FILINGS**

Pursuant to Local Rules 5.4(G)(1)(a) and 7.2, plaintiff Smith & Nephew, Inc. ("S&N") hereby requests that its opposition to defendants', Interlace Medical, Inc. and Hologic, Inc. (collectively "Hologic"), *Motion for Summary Judgment* and any related declaration(s) and exhibits filed concurrently with the Court on January 27, 2012 in support of its opposition (the "Opposition Documents"), be impounded and placed under seal. As grounds for this motion, S&N states as follows:

1. Pursuant to the protective order entered in this lawsuit (the "Protective Order"), documents designated CONFIDENTIAL and HIGHLY CONFIDENTIAL can only be disclosed to certain individuals identified in the Protective Order. (Dkt. # 42-1 at ¶¶ 5-14).

2. S&N's Opposition Documents contain confidential and proprietary information, including information that one or both parties to this litigation have designated CONFIDENTIAL and/or HIGHLY CONFIDENTIAL. Therefore, S&N requests that the Court impound its Opposition Documents.

3. S&N proposes that the impounding Order be lifted only upon further order of the Court, and that the Opposition Documents be kept in the Clerk's nonpublic information file during any post-impoundment period.

WHEREFORE, S&N respectfully requests that the Court allow this motion to seal its *Opposition to Hologic's Motion for Summary Judgment* and any related declaration(s) and exhibits S&N files concurrently therewith.

Dated: January 27, 2012

Respectfully submitted,

SMITH & NEPHEW, INC.,

By its attorneys,

/s/ Joshua S. Barlow

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**CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)**

Pursuant to Local Rule 7.1(A)(2), I hereby certify that on January 26, 2012, counsel for Hologic, Inc., Joel Leeman, informed counsel for Smith & Nephew, Inc. of Hologic's assent to the request set forth in this motion.

/s/ Joshua S. Barlow

Joshua S. Barlow

**CERTIFICATE OF SERVICE**

I, Joshua S. Barlow, do hereby certify that a true copy of the above document was filed through the Court's ECF system on this 27th day of January, 2012 and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Joshua S. Barlow

Joshua S. Barlow